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Our ref: AA1000439
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13/05/2019

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www.acc.gov.au

Dear Sir/Madam

Clean Energy Council & Ors application for authorisation of New Energy Tech Consumer Code [AA1000439]—interested party consultation

The Australian Competition and Consumer Commission (the **ACCC**) has received an application for authorisation from the Clean Energy Council (**CEC**), the Australian Energy Council (**AEC**), the Smart Energy Council (**SEC**) and Energy Consumers Association (**ECA**) (together the **Applicants**). The ACCC invites you to comment on the application.

The Applicants are seeking authorisation for the New Energy Tech Consumer Code (**Consumer Code**) which sets certain minimum standards of good practice and consumer protection which signatories must meet when supplying 'new energy tech' products and services to consumers. These standards cover all aspects of the customer experience, including those ranging from initial marketing and promotion through to, as appropriate, the offering, quoting, contracts, finance and payments, installation, operation, customer service, warranties and complaints handling processes. The Consumer Code also contains processes by which signatories may be disciplined for non-compliance and authorisation would enable the applicants to enforce those provisions.

A full copy of the application for authorisation is available on the ACCC's website www.acc.gov.au/AuthorisationsRegister.

Request for submission

The ACCC invites you to make a submission on the likely public benefits and effect on competition, or any other public detriment, from the proposed arrangements. In particular, the ACCC would appreciate your views on the following issues:

1. In addition to any benefits to consumers or other industry participants, the extent to which being a signatory to the Consumer Code may convey a provider of 'new energy tech' products or services a competitive advantage.
2. The extent to which the Consumer Code would make it more difficult or costly for new entrants to commence supplying 'new energy tech' products and services.
3. The extent to which administration or enforcement of the Consumer Code (i.e. disciplinary action for non-compliance, expulsions or denied memberships) could restrict the ability of suppliers or potential suppliers of new energy tech products or services from competing in relevant markets.
4. Any other issues you consider relevant to the ACCC's assessment of this matter.

If you intend to provide a submission in relation to the Applicants' application for authorisation, please do so by 22 May 2019. Submissions should be emailed to adjudication@acc.gov.au with the subject AA1000439 – New Energy Tech Consumer Code – submission'.

Alternatively, if you would like to provide comments orally, please contact David Wang on (03) 9658 6587 to organise a suitable time.

Submissions, including oral submissions, will be placed on the ACCC's public register subject to any request for exclusion: [Guidelines for excluding information from public register](#).

Timetable

The ACCC will progress its assessment of the application in a timely manner. An indicative timetable is set out below for your information

30 April 2019	Lodgement of application and supporting submission.
8 May 2019	Public consultation process begins.
22 May 2019	Closing date for submissions from interested parties.
June 2019	Applicant responds to issues raised in the public consultation process.
June/July 2019	Draft determination.
July 2019	Public consultation on draft determination including any conference if called.
July/August 2019	Final determination.

You can also forward this letter to any other party who may wish to make a submission to the ACCC regarding the application.

This letter has been placed on the ACCC's public register. If you wish to discuss any aspect of this matter, please do not hesitate to contact David Wang on (03) 9658 6587 or adjudication@acc.gov.au.

Yours sincerely



Susie Black
Director (A/g)
Adjudication Branch

**List of Interested Parties – New Energy Tech Consumer Code – Application for
Authorisation AA1000439**

ABB Australia

AG Abbeys Australia

AGL

Aica Energy

Alinta Energy

All Energy Solutions

Allume Energy

AMS

Aone Solar

ATCO Energy

CB Energy

Citipower Powercor

Colin, Biggers & Paisley

Dept for Energy & Mining Sth Australia

Dept of Natural Resources Mining and Energy

Diamond Energy

EfficientSee

Embertec

Energy & Water Ombudsman QLD

Energy and Water Ombudsman Victoria

Energy Australia

Energy Safe Vic

Energywise P/L

Financial & Consumer Rights

Flow Power

Green Peak Energy

Just Energy

Lithium Battery Systems

Master Electricians Australia

Minvar P/L
Natural Technology Systems
NECA
One Stop Warehouse Brisbane
Origin Energy
"Peter O'Donnell & Associates Pty
Ltd"
Planet Ark Power
Positronic Solar
PowerPlus Energy
Powershop
Q Cells Australia
Red Energy
Lumo Energy
Reposit Power
SA Housing Authority
SA Power Networks
Satellite Solar Council
SEBSS
Solar Analytics
Solar Cutters
Solar Depot
Steven Ziln (individual)
Sungrow Australia
Suntrix
Tandem Energy
Telstra
Tesla owners and fans in Brisbane
Trina Solar
Uni SA
Uniting
Zinc Energy